IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.41005 of 2007
RAMJI MARANDI
Versus
THE STATE OF BIHAR
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7. **01.09.2008** Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case registered for the offences under Sections 341, 342, 452, 376, 323 and 504 of the Indian Penal Code and 27 of the Arms Act.

It is submitted on behalf of the petitioner that although the complainant has made specific allegation against this petitioner however, during investigation, no independent witness has come to support the case since it has been alleged that on halla being made by her, the villagers came there alongwith the parents. It is further submitted that the complaint was lodged after 12 days without having medical examination of the complainant. Even during the investigation by the police there is no mention with regard to the alleged full pant and towel which were left by the accused persons and was in custody of the complainant.

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Learned counsel for the State, on the other hand submits that despite calling for the case diary by order dated 17.09.2007, full case diary has not been sent despite reminder.

Having considered the submissions as noted above, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner, namely, Ramji Marandi be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief

Judicial Magistrate, Banka in connection with Belher P.S. Case No. 114 of 2005 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

Jagdish/- **(Shailesh Kumar Sinha,J)**

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